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Mr. Roberts

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-199899.2

May 27, 1981

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The Associated General
Contractors of America
1957 E Street, N.W.
Washington, D.C. 20006

Attention: David A. Johnston

Gentlemen:

We acknowledge receipt of your letter of April 27, 1981, which requested that we review Defense Acquisition Regulation (DAR) § 1-707.2(b)(2) in light of your belief that it represents an incorrect interpretation and implementation of section 211 of Public Law 95-507; and further that we inform the DAR Council of our position in this matter. We decline your request.

The General Accounting Office renders legal opinions to parties outside this agency and entertains bid protests on the basis of its authority to settle and adjust claims and accounts in which the United States is concerned (31 U.S.C. 71), and to make settlements of the accounts of accountable officers of the Government (31 U.S.C. 74). The authority to request advance decisions (apart from those made to members of Congress and those within the context of a bid protest) is limited to the officers of the Government specified in 31 U.S.C. 74. Since we have no statutory basis to render binding legal opinions to officers of the Government at the request of private parties, we do not do so.

We regret we cannot be of assistance at this time.

Sincerely yours,

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

[Request for Review of Defense Acquisition Regulation]
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